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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

AUBREY W. BRIGGS,

Defendant and Appellant.

A102570

(Contra Costa County
Super. Ct. No. 020779-5)

Defendant appeals from a judgment imposed after his plea of no contest to forcible rape (Pen. Code, § 261, subd. (a)(2)) and forcible sodomy (Pen. Code § 286, subd. (c)(2)).¹ His counsel has raised no issues and asks this court for an independent review of the record to determine whether there are any arguable issues. (*People v. Wende* (1979) 25 Cal.3d 436.)

Defendant's pleas were entered pursuant to a negotiated disposition, under which he was sentenced to 25 years in state prison. Additional charges of aggravated sexual assault of a child under the age of 14 (Pen. Code § 269, subd. (a)(1)) and kidnapping for

¹ An enhancement pursuant to Penal Code section 667.8, subdivision (b) (kidnapping person under 14 for sexual assault) was admitted as to each count.

sexual purposes (Pen. Code § 209, subd. (b)), as well as additional sentencing enhancements, were dismissed.² This timely appeal followed.

This appeal is not accompanied by a certificate of probable cause. Defendant was advised of his constitutional rights prior to the entry of his plea, as well as the consequences of the plea. The court found the plea was free and voluntary and that there was a factual basis for it. No error appears in the entry of the plea. Defendant was sentenced according to the negotiated disposition; no error appears in the sentencing proceedings. Defendant was represented by counsel at all times. There are no meritorious issues to be argued on appeal.

The judgment is affirmed.

Sepulveda, J.

We concur:

Kay, P. J.

Rivera, J.

² The underlying facts are not relevant to this appeal. Suffice it to say that defendant asked the 11-year-old victim to help him find someone; she accompanied him for that purpose. Defendant then said he wanted to have sex with her. When she refused he grabbed her and carried her to the rear of a residence where he forcibly raped and sodomized her. She underwent five hours of emergency surgery to stop bleeding caused by the rape.